

Deposition of James Wilson

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF FRESNO

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4 KASINER FARMS, f/k/a KASINER)
5 CONSULTING AND FARM MANAGEMENT; FOUR) NO. 12CECG00907
6 CORNERS CUSTOM FARMING; WEST HILLS)
7 GYPSUM,)
8 Plaintiffs,)
9 -vs-)
10 J&D WILSON AND SONS DAIRY; JIM)
11 WILSON; CORNELIUS VANDERHAM; DOES)
12 1-10,)
13 Defendants.)
14 _____)
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16 Fresno, California July 2, 2012

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18 The deposition of JAMES WILSON was taken in the
19 above-entitled matter pursuant to all of the provisions of
20 law pertaining to the taking and use of depositions before
21 Theresa K. Hansen, CSR, with offices at Fresno, California,
22 commencing at the hour of 9:06 a.m. at the law office of
23 Kevin G. Little, 470 East Herndon Avenue, Suite 102, Fresno,
24 California.
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1	MR. IDE: I'm only going to object to the extent 2 that any legal conclusions are called for. Because we have 3 not filed an answer yet, and you're asking us to produce all 4 documents that support any affirmative defenses. I haven't, 5 frankly, decided which affirmative defenses I'm going to 6 assert. 7 MR. LITTLE: Very well. 8 MR. IDE: I haven't decided which documents I'm 9 going to be producing at trial in this matter, but it will 10 depend on your client's response to our cross-complaint. 11 MR. LITTLE: Very well. 12 BY MR. LITTLE: 13 Q. Well, that being stated, otherwise, have you 14 produced all of the documents that are presently available to 15 you? 16 A. Yes. 17 That question was for me? 18 Q. Right. All right. In response to certain 19 discovery requests that my office propounded in this matter, 20 specifically some form interrogatories, some requests for 21 admission, and also some requests for production of 22 documents, did you review those? 23 A. Yes. 24 Q. And did you answer those as capably as you could? 25 A. Yes.	A. My -- myself, my wife, father-in-law and 2 mother-in-law. 3 Q. Okay. And J&D Wilson And Sons Dairy is a 4 partnership, correct? 5 A. Yes. 6 Q. And how long has that partnership been in 7 existence? 8 A. 12 years. 9 Q. Was there some predecessor entity that operated the 10 dairy that presently is owned and operated by J&D Wilson And 11 Sons Dairy? 12 A. No. 13 Q. I noticed in some of the paperwork there's a 14 reference to an entity called Wilson & Vanderham Alladin 300. 15 What is that entity? 16 A. That's not an entity. 17 Q. Is it a dba? 18 A. No. 19 Q. What is it? Are you familiar with it at all? 20 A. Wilson & Alladin? 21 Q. Wilson & Vanderham Alladin 300. 22 MR. IDE: What document does it say that on? It may help him. 23 MR. LITTLE: Sure. Well, I don't believe it's on any of the documents you produced.	
1	Q. Okay. Have you reviewed those in preparation for 2 this deposition? 3 A. Yes. 4 Q. Are there any corrections to those documents that 5 you'd like to make at this point in time? 6 A. No. 7 Q. It's my understanding, sir, that you are a partner 8 in J&D Wilson And Sons Dairy -- 9 A. Yes. 10 Q. -- is that correct? 11 How long has that dairy been in business? 12 A. 12 years. 13 Q. The name implies that it's a dairy. 14 Does it do any other business? 15 A. No. 16 Q. How many head of cattle do you have? 17 A. 8,000. 18 Q. And do you operate your dairy from a single 19 location or from multiple locations? 20 A. Single. 21 Q. And that location is where? 22 A. 11720 West Mount Whitney, Riverdale. 23 Q. In your interrogatory responses, you identify 24 various persons who have involvement in that business. 25 Let me just ask you, who are all of the partners?	Page 9	Page 11

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1	A. 20.	1	Q. So it's a completely separate, standalone operation?
2	Q. With respect to Jimmy, what are his responsibilities?	2	A. Yes.
3	A. Manager.	3	Q. Has J&D Wilson And Sons Dairy had any, in the last five years, any lawsuits filed against it?
4	Q. And how long has Jimmy been a manager?	4	A. Yes.
5	A. Three years.	5	Q. How many?
6	Q. What are Dillon's responsibilities?	6	A. One -- or two, actually.
7	A. Just general labor.	7	You're counting like workman's comp stuff, I would take it?
8	Q. Who was the manager before Jimmy became the manager three years ago?	8	Q. That would count, yes.
9	A. Myself.	9	A. Two.
10	Q. How long had you been the manager?	10	Q. So one of those, I would take from your answer, is a workers' comp case?
11	A. Since 2000.	11	A. Yes.
12	Q. So, essentially, since the inception of the operation?	12	Q. And what's the other one?
13	A. Yes.	13	A. Was a grain contract dispute.
14	Q. Okay. Your wife, does she have any active responsibilities?	14	Q. Was the dairy a plaintiff or a defendant in that action?
15	A. She pays bills.	15	A. Defendant.
16	Q. Your father-in-law, does he have any active responsibilities?	16	Q. What was the name of the grain contractor? Or what is the name?
17	A. No.	17	A. Of the contract?
18	Q. Does he have any responsibilities at all --	18	Q. Of the grain provider.
19	A. No.	19	A. Penny Newman.
20	Q. -- with respect to the operation of the dairy?	20	
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1	A. No.	1	Q. Say that again.
2	Q. He just simply has an ownership share?	2	A. Penny Newman.
3	A. Yes.	3	Q. How do you spell that?
4	Q. Would you say he's what's called a silent partner?	4	A. P-E-N-N-Y, N-E-W-M-A-N.
5	A. Yes.	5	Q. Okay. Is that ongoing?
6	Q. And how about his wife, your mother-in-law, what are her responsibilities, if any?	6	A. No.
7	A. None.	7	Q. Did that go to trial?
8	Q. She also would be characterized fairly as a silent partner?	8	A. No.
9	A. Yes.	9	Q. Were the terms of the resolution confidential?
10	Q. Was there sometime in the past where your father-in-law and mother-in-law had a more active role in the dairy?	10	A. Yes.
11	A. No.	11	Q. Does J&D Wilson And Sons Dairy employ any people other than those people you've already mentioned, Jimmy and Dillon?
12	Q. Do they have some other dairy operation that they operate?	12	A. Yes.
13	A. Yes.	13	Q. How many employees does it have?
14	Q. What's that?	14	A. 60.
15	A. He's in partnership with his two sons' own dairies.	15	Q. Back in 2008, how many employees did the dairy have, approximately?
16	Q. What's the name of their dairy?	16	A. 30.
17	A. D&V Vanderham and Dick Vanderham & Sons.	17	Q. Are any of those 60 employees vested with any sort of management responsibilities?
18	Q. Does J&D Wilson And Sons Dairy do any business in partnership with either one of those dairies?	18	A. No.
19	A. No.	19	Q. They're all just laborers?
20		20	A. Yes.
21		21	Q. Does J&D Wilson And Sons Dairy rent any land in
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